

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>3/17/06</u>		2 Serial/Patent # <u>08/915,004</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
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<input checked="" type="checkbox"/>	No Fee Due (Explanation):	9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">5</td> <td style="width: 20px;">0</td> <td style="width: 20px;">--</td> <td style="width: 20px;">2</td> <td style="width: 20px;">3</td> <td style="width: 20px;">8</td> <td style="width: 20px;">7</td> </tr> </table>			5	0	--	2	3	8	7
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<u>No Fee due 1.181 pctns</u>											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Mark Polth</u>		TITLE: <u>Legal Admin</u>									
SIGNATURE: <u>[Signature]</u>		PHONE: <u>2-7709</u>									
OFFICE: <u>OLV</u>											
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APPROVED: <u>[Signature]</u>		DATE: <u>3/17/06</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GOTO *et al.*

Appln. No.: 08/915,004

Filed: August 20, 1997

For: **NOVEL PROTEINS AND  
METHODS FOR PRODUCING  
THE PROTEINS**

Art Unit: 1636

Examiner: M. Pak

Atty. Docket: 16991.010

Confirmation No.: 9564

PETITION TO THE COMMISSIONER

**Mail Stop - Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants respectfully request reconsideration of the patent term extension ("PTE") indicated with the Notice of Allowance, mailed September 7, 2005, for the above-referenced application. Applicants herein apply for an extension of the patent term beyond what was calculated by the Patent Office due to U.S. Patent and Trademark Office ("USPTO") delay. The PTE suggested by the Determination of Patent Term Extension under 35 U.S.C. 154(b) mailed on September 7, 2005 is 1631 days. Applicants' calculations for the correct PTE follow.

The examination delay in this application begins on November 23, 1998, the date the first Notice of Suspension was mailed. Prosecution remained closed in this matter until the Notice of Allowance was issued almost seven years later. As such, Applicants respectfully request that the above-referenced application be given the maximum extension of five years or 1825 days.

11/09/2005 MBEYENE2 00000001 502387 08915004

01 FC:1455 200.00 DA

Adjustment date: 03/17/2006 CKHLOK

11/09/2005 MBEYENE2 00000001 502387 08915004

01 FC:1455 200.00 CR